

MEMO ENDORSED



**THE CITY OF NEW YORK
LAW DEPARTMENT**

MICHAEL A. CARDOZO
Corporation Counsel

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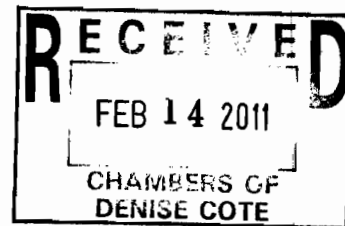
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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/15/2011

February 11, 2011

BY HAND

Honorable Denise L. Cote
United States District Judge
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Peter Aleksa, et al. v. City of New York, et al.
10 CV 08583 (DLC)(JLC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney for defendant City of New York ("City"). I write to respectfully request (1) a second enlargement of time of forty-five days from February 11, 2011 until March 28, 2011, for defendant City to answer or otherwise respond to the complaint, and (2) that the initial conference currently scheduled for February 25, 2011 at 09:30 a.m. be adjourned to a later date convenient to the Court after issue has been joined. Plaintiff's counsel consents to defendant's application for a second enlargement of time. This is defendant's second request for an enlargement of time. The defendant first sought, and was granted, a sixty-day enlargement of time from December 3, 2010, until February 11, 2011, to respond to the complaint.

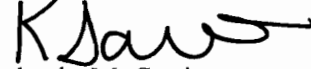
In the complaint, the nine plaintiffs make various allegations, *inter alia*, that on May 23, 2009, they were falsely arrested by NYPD officers, subjected to excessive force by NYPD officers, and that the charges against all plaintiff were either dismissed or otherwise favorably terminated.

The reason for the defendant's request for a second enlargement of time is due to the fact that defendant City was only provided seven of the nine New York Criminal Procedure Law §160.50 releases by the plaintiffs on January 31, 2011, with the remaining two §160.50 releases from plaintiffs provided on February 2, 2011. Without the §160.50 releases from plaintiffs, defendant City was unable to request any paperwork in regards to plaintiffs' arrests or plaintiffs' sealed District Attorney and Criminal Court records. With the releases we are now reaching out to the various agencies to obtain the relevant paperwork so we can intelligently respond to the complaint.

Accordingly, we respectfully request that (1) defendant City's time to answer or otherwise respond to the complaint be extended from February 11, 2011 until March 28, 2011, and (2) that the initial conference currently scheduled for February 25, 2011 at 9:30 a.m. be adjourned to a later date convenient to the Court after issue has been joined.

Thank you for your consideration of this request.

Respectfully submitted,



Kimberly M. Savino
Assistant Corporation Counsel

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*Granted. The conference is
adjourned to April 29
at 2:30 p.m.*

*James C. [unclear]
February 15, 2011*